

# PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:**

JEFFREY KENT FREDENBURGH ET AL. )

**Application No.: 10/626,537**

**Filed: July 25, 2003**

**For: ODOR CONTROL AGENT**

**Examiner: D. Ware**

Group Art Unit: 1651

October 29, 2004

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

## AMENDMENT AND PETITION FOR EXTENSION OF TIME

**Sir:**

### A. Introductory Comments

I. Applicants petition to extend the time for response to the Office Action dated June 30, 2004 for one (1) month, from September 30, 2004 to October 30, 2004 (Saturday). A check in the amount of \$110.00 for payment of the extension fee is enclosed. Please charge any additional fee required for the extension, and credit any overpayment, to Deposit Account 06-1205.

II. This is in response to the Office Action dated June 30, 2004, the period for reply having been extended by the above petition and payment of the extension fee.

**Please amend the application as follows and consider the following remarks.**

90.00 DA Amendments to the specification appear on page 2. Amendments to the claims appear on pages 3 through 8. Remarks begin on page 9.

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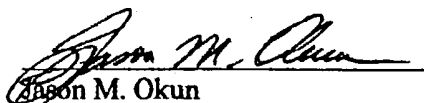
The cited documents fail to recognize the shortcomings associated with not adhering bacteria to the surface, such as requiring repeated application of bacteria to a surface upon subsequent exposure to odor-causing materials, and consequent limited duration of efficacy. Clearly, if there is no recognition of a problem, there could be no teaching or suggestion of a solution.

In conclusion, Applicants respectfully submit that the cited documents, whether considered separately or in any proper combination, do not disclose or suggest the elements presently claimed. In particular, there is no disclosure or suggestion regarding adhesion of the bacteria to a surface, which allows the bacteria to become active when exposed to the odor-causing material.

Applicants respectfully request that the outstanding objection and rejections be withdrawn and the present case be passed to issue.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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